**Joint Report on the Situation of Human Rights Defenders in the Americas**

**Questionnaire prepared by the Office of the UN High Commissioner for Human Rights and the Inter-American Commission on Human Rights**

May 2019

The Office of the UN High Commissioner for Human Rights (OHCHR) and the Inter-American Commission on Human Rights (IACHR) invite you to share information on the situation of human rights defenders in the Americas. The information gathered through this questionnaire will contribute to the joint OHCHR-IACHR report on the subject, which will be launched late in 2019.

This report will be publicly available on the [website of OHCHR](https://www.ohchr.org/EN/Countries/LACRegion/Pages/CallInputsReportOHCHRInterAmericanCommision.aspx) and on the website of the IACHR.

Your responses will be made public and attributed to you in the report, unless you indicate otherwise. Where possible please limit the response to each question to 500 words.

National Human Rights Institutions, civil society and human rights defenders are invited to send their responses in Word format by e-mail to [adesouza@ohchr.org](mailto:adesouza@ohchr.org) with an address where they can receive a reply to their submissions if necessary. For this purpose, a downloadable version of the questionnaire in English, French and Spanish is available on the OHCHR website.

The deadline for submitting the completed questionnaire is **10 June 2019.**

Please provide your contact details in case we need to contact you regarding this questionnaire. (Note that this is optional).

* Name of the organisation/institution:

National Judicial Conduct and Disability Law Project, Inc.

* Contact and e-mail:

Dr. Zena Crenshaw-Logal, Executive Director

crenshaw-logal@njcdlp.org

* Country or sub-region (indicate the country or sub-region in which you work)

United States of America

* Can we attribute these responses to you or your organization publicly?

Yes, these questionnaire responses may be publicly attributed to National Judicial Conduct and Disability Law Project, Inc.

**Questions:**

* **Situation of human rights defenders:**

What do you consider to be the contextual factors - positive and/or negative - that have had the greatest impact on the situation of human rights defenders in your country and/or region since 2016?

When it comes to the situation of human rights defenders in America as of 2016, the clear ineffectiveness of domestic avenues for redressing even rather apparent, retaliatory violations of their rights, deters them and their work more than anything else. In other words, the unresponsiveness of America’s legal system to illegal action(s) intended to derail their efforts is the contextual factor with the greatest impact on the situation of human rights defenders in America. Relatively few of them may experience the impact directly. In fact, for many if not most human rights defenders in America, the impact may be undetectable. But for those helping vindicate discernible groups that powerful people are intent on oppressing, the futility of seeking relief for suppression of activities otherwise protected by the First Amendment of our U.S. Constitution is an existential consideration. By 2016, it was clear that America’s legal system could be and was regularly weaponized against these human rights defenders. And on October 10, 2018, the U.N. Human Rights Council confirmed the plausibility of America having a *de facto* policy of impunity for the role of its judges in facilitating their persecution through persistent U.S. legal system abuse. *See*, National Judicial Conduct and Disability Law Project, Inc. (2018, October 12). *UN Human Rights Council Poised to Address Prospect of Judicial Impunity in America* [Press release], accessible as of May 20, 2019 at <https://www.prlog.org/12734665-un-human-rights-council-poised-to-address-prospect-of-judicial-impunity-in-america.html>

What are the main causes and/or risk situations that contribute to a situation of violence and vulnerability against human rights defenders?

The main causes and/or risk situations that contribute to a situation of violence and vulnerability against human rights defenders in America relate to the likelihood that their assailants will act with impunity. They are powerful people, intent on oppressing certain discernible groups being helped by human rights defenders. That help entails shifting coveted power from people who have it contrary to law and/or equity, to people who historically lack it and are significantly oppressed as a result. Helping occasion these power shifts is

fodder in America for violent retaliation against human rights defenders involved. An example of such a shift is the empowerment of disenfranchised

people to halt otherwise profitable plans of a wealthy business developer in the impacted community’s best interest. Deterring such reversals of fortune is less

the incentive for powerful people to evoke violence than the apparent likelihood of them skirting any and all prospects of corresponding civil and/or criminal liability.

Since its inception in 2005, National Judicial Conduct and Disability Law Project, Inc. (NJCDLP) has been at the forefront of assessing the apparent effectiveness and consistency of U.S. court officers in pre-empting as well as redressing human rights violations. Dr. Zena Crenshaw-Logal – a *NJCDLP co-founder and one of its Executive Committee Board members as well as its Executive Director* – penned most of NJCDLP’s related analyses. As she noted at the organization’s 2018 conference, “Seeking Justice Beyond Our Shores: *Americans and International Human Rights*”, over the last twenty (20) years, primarily through U.S. Supreme Court rulings, avoidable gaps have been honed into America’s legal system such that it can be selectively enforced, *i.e.*, properly implemented or utterly disregarded in whole or part with virtually unfettered discretion. And by 2016 it was fairly obvious that (1). human rights defenders whose work could significantly shift longstanding balances of power in America are primary targets; and (2). powerful people perpetrating violence against and/or otherwise harming human rights defenders to deter those power shifts were/are prime benefactors of that untoward system manipulation. *See*, Opt IN USA (2016, February 16). “AMERICANS IN JEOPARDY: *When Human Rights Protection Becomes America’s Executive, Legislative, and Judicial Branch Shell Game*”, accessible as of May 20, 2019 at <https://www.dropbox.com/s/xduyny4zcdrjvm2/Americans%20In%20Jeopardy_full-graphics.pdf?dl=0>

What are the main advances and strengths concerning the protection and promotion of the work of human rights defenders in your country or in the region? What are the main setbacks and obstacles/challenges?

The main advances and strengths concerning the protection and promotion of the work of human rights defenders in America are attendant to the internet, plus the fact that their work aligns with well-established civil and constitutional rights in our nation. The main setbacks and obstacles/challenges concerning the protection and promotion of the work of human rights defenders in America relate to the limited impact average Americans have on our government despite the tremendous capacity to shape public policy we should have via the internet’s many avenues for affordable, mass communication. Those of us severely traumatized – perhaps even psychologically tortured by persistent rights violations have little “resilience for the for the monochronic tasks (*such*

*as data base development, community canvassing, strategic social networking, etc.*) essential in harnessing and wielding political power on a grassroots basis in America.” *See*, Opt IN USA (2016, February 16). “AMERICANS IN JEOPARDY: *When Human Rights Protection Becomes America’s Executive, Legislative, and Judicial Branch Shell Game*”, p 16, accessible as of May 20, 2019 at <https://www.dropbox.com/s/xduyny4zcdrjvm2/Americans%20In%20Jeopardy_full-graphics.pdf?dl=0> And in any event, ‘economic elites and organized groups representing business interests have substantial independent impacts on U.S. government policy, while mass-based interest groups and average citizens have little or no independent influence’ in America. *See*, Opt IN USA (2018, January 18). “JUDICIAL IMPUNITY: *A Likely Inadvertent but Deadly Failure of American Democracy*”, pp 8-9, accessible as of May 20, 2019 at <https://www.dropbox.com/sh/03e5qnq7yn1by9p/AACLLKEklxK9VyVPDMBOV5RZa?dl=0&preview=2017-2018+Winter+Judicial+Impunity+Report.pdf>, quoting Gilens, M., & Page, B. (2014). *Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens. Perspectives on Politics*, 12(3), 564-581. p 564. doi:10.1017/S1537592714001595. Available at <https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens_and_page_2014_-testing_theories_of_american_politics.doc.pdf>

As feeble as democracy has become for average Americans, our country would remain the world’s haven for human rights protection were the U.S. legal system not so easily weaponized against human rights defenders. The “situation of violence and vulnerability against human rights defenders” in America, courtesy of persistent U.S. legal system abuse, helps ensure the oppressed remain the oppressed in our country. Humanitarian relief can abound in that environment, but not lawful/equitable shifts of power. In fact, in such an environment, there are no actual rights . . . only privileges extended with varying levels of magnanimity.

What should be changed in your country or region to contribute to a safe and conducive environment for the defence of human rights?

According to the Centre for the Independence of Judges & Lawyers, International Commission of Jurists:

Global experience over the last 65 years has demonstrated that the existence of a legal system that all actors know will respond effectively and consistently to violations and abuses has a general deterrent effect. The same experience has demonstrated that we cannot expect a legal system to respond effectively and consistently to human rights violations and abuses unless judges are independent and impartial, lawyers (as a particular kind of civil

society actor) are independent and free to fulfil their duties, and prosecutors are impartial and committed to human rights and the rule of law.

NJCDLP has taken the lead in establishing that America’s legal system lacks the referenced “deterrent effect”. To contribute to a safe and conducive environment for the defence of human rights, the system must be changed such “that all actors know (it) will respond effectively and consistently to violations and abuses”. *Cf.*, ICJ (2018 February 27). “The role of judges, lawyers and prosecutors in preventing human rights abuses”, accessible as of May 20, 2019 at <https://www.icj.org/the-role-of-judges-lawyers-and-prosecuters-in-preventing-human-rights-abuses/> Hence, through its National Forum On Judicial Accountability, in accord with the U.S. Constitution, NJCDLP proposes an end to state judicial self-policing in America as well as maximum direct citizen oversight of America’s judiciary. Learn more at <https://thelawproject.wixsite.com/nfoja>, and *See*, Crenshaw-Logal, Zena. *Exploring the Vitality of Stare Decisis in America*. Boca Raton: Universal Publishers, Book 2012. Further, NJCDLP is the primary proponent of nationalizing regulation of lawyer speech in America to circumvent related local biases and untoward manipulation. *See*, POPULAR (2008 November). Protecting Judicial Whistleblowers In The War On Poverty: *A Proposed International Initiative Focusing On The United States*, accessible as of May 20, 2019 at <http://api.ning.com/files/7RRfurJQ1DKZbc-lyhtVuXCTyBvKsqEC0ElvVb5-KIxGQnLq0omfUXk5ZwGO4oxgp1AulV7Bn5WAloL6dsrVVHbucMJEMbg2/POPULAR_WhitePaper_finalized.pdf> Also, through its campaign known as Opt IN USA, NJCDLP proposes that America ratify the first Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Learn more at <https://www.thethirddegree.net/opt-in-usa>

* **Defenders most at risk:**

What are the groups or sectors of human rights defenders most at risk? Please explain the distinct nature of the risks and threats faced by women human rights defenders, indigenous peoples, Afro-descendants and other groups.

The groups or sectors of human rights defenders most at risk in America are those combatting judicial misconduct, regardless of their personal demographics. They are prime targets of The Third Degree (TTD), a persistent, national pattern of persecution and psychological torture imposed through U.S.

legal system abuse. *See*, Opt IN USA (2018, January 18). “JUDICIAL IMPUNITY: *A Likely Inadvertent but Deadly Failure of American Democracy*”, pp 38-39, accessible as of May 20, 2019 at <https://www.dropbox.com/sh/03e5qnq7yn1by9p/AACLLKEklxK9VyVPDMBOV5RZa?dl=0&preview=2017-2018+Winter+Judicial+Impunity+Report.pdf> On October 10, 2018, the U.N. Human Rights Council confirmed the plausibility of

America having a *de facto* policy of impunity for the role of its judges in facilitating TTD. *See*, National Judicial Conduct and Disability Law Project, Inc. (2018, October 12). *UN Human Rights Council Poised to Address Prospect of*

*Judicial Impunity in America* [Press release], accessible as of May 20, 2019 at <https://www.prlog.org/12734665-un-human-rights-council-poised-to-address-prospect-of-judicial-impunity-in-america.html> The subject is also addressed as a “Suggested List of Issues to Country Report Task Force on the United States

Implementation of the ICCPR”. *See*, National Judicial Conduct and Disability Law Project, Inc. (2019, January 11). “Failure to Provide Effective Avenues of Redress and Relief for the Role of U.S. Judges in Persecution and Psychological Torture Imposed Through Persistent U.S. Legal System Abuse”, available as of May 20, 2019 at <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fICS%2fUSA%2f33372&Lang=en>

Concerning groups or sectors of human rights defenders in a situation of greater risk, do you see any change since 2016?

Since 2016, it has become more apparent that America has a *de facto* policy of impunity for the role of its judges in facilitating persecution and psychological torture imposed through persistent U.S. legal system abuse.

What are the main protection concerns and challenges faced by human rights defenders when carrying out activities in both the public and private spheres, including through digital means?

In America, human rights defenders most at risk help shift coveted power from people who have it contrary to law and/or equity, to people who historically lack it and are significantly oppressed as a result. These human rights defenders are prime targets of The Third Degree (TTD), a persistent, national pattern of persecution and psychological torture imposed through U.S. legal system abuse. *See*, Opt IN USA (2016, February 16). “AMERICANS IN JEOPARDY: *When Human Rights Protection Becomes America’s Executive, Legislative, and Judicial Branch Shell Game*”, pp 38-39, accessible as of May 20, 2019 at

<https://www.dropbox.com/s/xduyny4zcdrjvm2/Americans%20In%20Jeopardy_full-graphics.pdf?dl=0> Targets of TTD are invariably disparaged and

discredited through legal process; intimidated for their activism through violence and/or threats of violence; denied the equal protection of law and corresponding access to courts; impoverished through questionable job losses, unwarranted black listings, and/or the questionable imposition/denial of fines, sanctions, and/or damages awards; and they may be incarcerated under questionable circumstances. *Id. at pp 3-4*. Hence, TTD presents the main protection concerns and challenges faced by human rights defenders when carrying out activities in both the public and private spheres, including through digital means in America.

* **Attacks or restrictions:**

What are the most recent statistics on attacks and restrictions against human rights defenders in the country or region? Please indicate the source of the information and indicate the period covered.

NJCDLP’s community mobilizing body, the National Strategy and Management Board of the National Forum On Judicial Accountability, has convened a panel of grassroots U.S. legal system reform advocates to examine NJCDLP’s January 2018 submission (via its campaign known as Opt IN USA) to the U.N. Human Rights Council (Council) in light of the Council’s October 2018 response. *See*, National Judicial Conduct and Disability Law Project, Inc. (2018, October 12). *UN Human Rights Council Poised to Address Prospect of*

*Judicial Impunity in America* [Press release], accessible as of May 20, 2019 at <https://www.prlog.org/12734665-un-human-rights-council-poised-to-address-prospect-of-judicial-impunity-in-america.html> Panel members are re-evaluating all key documents directly submitted to or cited (with accessible link) for the Council, keeping in mind its determination that the proposed communication “does not address consistent patterns of gross and reliably attested violations of human rights and fundamental freedoms” and “does not provide sufficient factual description of alleged violations, including the rights which are alleged to be violated. Opt IN USA is accordingly left to do what may, but hopefully will not prove for it – *a grassroots initiative lacking major funding sources* – an unmanageable task: establish to the Council’s satisfaction a reliably attested to, relevant pattern, wide enough to be fairly considered “gross”. As of now, NJCDLP cannot confirm it has the most recent statistics on relevant attacks and restrictions against human rights defenders in America.

What are the main types of attacks and restrictions against human rights defenders in the country or region? Do you see any change since 2016? If possible, identify if there is a geographic area that needs to be highlighted in particular.

NJCDLP monitors U.S. legal system abuse that is debilitating for its targets whether waged in a single episode or on a protracted basis. The Third Degree (TTD) is a persistent, national pattern of persecution and psychological torture imposed through U.S. legal system abuse. Regardless of their personal demographics, human rights defenders combatting judicial misconduct in America are most susceptible to TTD. Targets of TTD are invariably disparaged and discredited through legal process; intimidated for their activism through violence and/or threats of violence; denied the equal protection of law and corresponding access to courts; impoverished through questionable job losses, unwarranted black listings, and/or the questionable imposition/denial of fines, sanctions, and/or damages awards; and they may be incarcerated under

questionable circumstances. *See*, Opt IN USA (2016, February 16). “AMERICANS IN JEOPARDY: *When Human Rights Protection Becomes America’s Executive, Legislative, and Judicial Branch Shell Game*”, pp 3-4, accessible as of May 20, 2019 at <https://www.dropbox.com/s/xduyny4zcdrjvm2/Americans%20In%20Jeopardy_full-graphics.pdf?dl=0>

Since 2016, it has become more apparent that America has a *de facto* policy of impunity for the role of its judges in facilitating TTD.

Could you identify one or more patterns in the type of aggressors/perpetrators? Are these state or non-state actors?

A concept very similar to The Third Degree (TTD) is selective prosecution except that with TTD, judicial officers are among the deliberate perpetrators; those persecuting and/or psychologically torturing Americans through U.S. legal system abuse. When the goal is persecution or torture and the instrument is U.S. legal systems, participants only appear to be part of adjudicatory processes. State and non-state actors (*i.e.*, private litigants) may be involved.

What are the consequences and impact of the attacks and restrictions at the individual and collective level (both in the scope of the organizational space and in broader social spaces)?

Whether an individual or organization, targets of TTD are invariably disparaged and discredited through legal process; intimidated for their activism through violence and/or threats of violence; denied the equal protection of law and corresponding access to courts; impoverished through questionable job losses, unwarranted black listings, and/or the questionable imposition/denial of fines, sanctions, and/or damages awards; and they may be incarcerated under questionable circumstances. *See*, Opt IN USA (2016, February 16). “AMERICANS IN JEOPARDY: *When Human Rights Protection Becomes America’s Executive, Legislative, and Judicial Branch Shell Game*”, pp 3-4,

accessible as of May 20, 2019 at <https://www.dropbox.com/s/xduyny4zcdrjvm2/Americans%20In%20Jeopardy_full-graphics.pdf?dl=0>

In broader social spaces in America, TTD puts at risk (1) access to affordable, competent legal representation; (2) quality, affordable healthcare; (3) the

sanctity of families and family lineage; (4) republican form of government; and (5) public health and safety. *See, Id. at pp 9-32*.

What types of attacks do you consider to particularly affect women human rights defenders (in urban and rural areas, members of indigenous and Afro-descendant communities, and other groups)?

The effects of persecution and psychological torture imposed through persistent U.S. legal system abuse varies per the emotional resilience of its targets. There does not seem to be any gender, race, geographic, social status, and/or even income correlation. Of course, the higher a person’s social status

and the greater his or her wealth, the more social status and wealth he or she has to lose through persistent U.S. legal system abuse.

* **Guarantees for the free exercise of the defense of human rights:**

Do you consider there is any aspect of the normative, institutional and public policy framework that promotes or hinders the free exercise of the defense of human rights?

Inadequate judicial oversight hinders the free exercise of the defense of human rights in America. The *coup d'é·tat* of U.S. judges manifests as their use of America’s adjudicatory as well as quasi-adjudicatory processes, agencies, and courtrooms to conclusively determine whether those processes, venues, and/or they (the judges themselves) are (1). corrupted; (2). reduced to a charade at will, and/or; (3). regularly re-purposed to serve a distinct, illicit end that it seems no lone voice or fleeting coalition can thwart through any lawful private citizen and/or government oversight. What institution predisposed to promoting the free exercise of human rights would countenance such sweeping autonomy?

Have you identified as an existing problem in your country or in the region the misuse of criminal law to criminalize human rights defenders for their activity? If so, please indicate in which contexts it occurs, which actors are involved, and what would be the main causes or the factors that generate it.

Two articles are particularly responsive to this question for NJCDLP’s purposes. Citation for the most recent article is Crenshaw-Logal, Zena;

Jackson, Dr. Andrew D.; Nunn, Dr. Sandra. "How To Get Away With Career Murder: *The Unconstitutional Blueprint for Systematically Purging Whistleblowers from U.S. Law Enforcement*" *Bepress Selected Works*. Web. (2016). Accessible at <http://works.bepress.com/zena_crenshaw-logal/8/>; and the earlier article is Crenshaw-Logal. “The Official End of Judicial Accountability Through Federal Rights Litigation: *Ashcroft v. Iqbal*”, 35 *Am. J. Trial Advoc*. 125 (Summer 2011), original manuscript accessible at <http://works.bepress.com/zena_crenshaw-logal/1/> These articles go a long way in establishing that for government gadflies, America easily becomes a dystopia by way of its criminal justice system. What a careful reader should learn from the two articles is that probable cause to criminally indict an American can be derived from totally fabricated evidence and no matter how negligent the prosecutor and presiding judge are in allowing that predicament to evolve into a wrongful conviction, it may never be thoroughly investigated, prompt civil damages, statutory reparations, and/or any form of equitable relief for the unfortunate defendant. This reality harkens back to NJCDLP’s earlier indication that over the last twenty (20) years, primarily through U.S. Supreme Court rulings, avoidable gaps have been honed into America’s legal system such that it can be selectively enforced, *i.e.*, properly implemented or utterly disregarded in whole or part with virtually unfettered discretion.

If relevant, under what crimes are human rights defenders wrongly accused? If possible, provide concrete examples.

The possibilities are limited only by the scope of activities deemed crimes by America’s state and federal statutes. NJCDLP attests to this reality based on nearly two (2) decades of its administrators noting allegations of crimes levied (in a civil and/or criminal court context) against a number of the organization’s constituents, arguably in retribution for their U.S. legal system reform advocacy. NJCDLP has not maintained a handy chronicle/journal of those developments. However, it did share with the U.N. Human Rights Council (Council) details of circumstances before the death of NJCDLP’s co-founder and largest financial benefactor, the late Mr. Rodney A. Logal. Shortly before Mr. Logal’s stress-related death, pursuant to a bench trial, he was adjudged liable for criminal conversion and, in the same small claims court case, the judge sentenced Mr. Logal to 30 days in jail, supposedly for contempt of court. According to the Council, allegations that Mr. Logal’s subsequent death was intentionally or recklessly precipitated to derail NJCDLP’s advocacy are not manifestly ill-founded. *See*, National Judicial Conduct and Disability Law Project, Inc. (2018, October 12). *UN Human Rights Council Poised to Address Prospect of*

*Judicial Impunity in America* [Press release], accessible as of May 20, 2019 at <https://www.prlog.org/12734665-un-human-rights-council-poised-to-address-prospect-of-judicial-impunity-in-america.html>

* **Access to justice and reparation:**

Could you provide information on the state of investigations of crimes committed against human rights defenders?

So far none as far as NJCDLP is able to confirm from the perspective of its advocacy. Of course, On October 10, 2018, pursuant to a proposed communication submitted by NJCDLP on behalf of its constituents, the U.N.

Human Rights Council (Council) confirmed that America may well have a *de facto* policy of judicial impunity for the role of its judges in persecution and psychological torture imposed through persistent U.S. legal system abuse. *See*, National Judicial Conduct and Disability Law Project, Inc. (2018, October 12). *UN Human Rights Council Poised to Address Prospect of Judicial Impunity in America* [Press release], accessible as of May 20, 2019 at <https://www.prlog.org/12734665-un-human-rights-council-poised-to-address-prospect-of-judicial-impunity-in-america.html> Obviously, the Council could not entertain addressing what NJCDLP (via its grassroots campaign, Opt IN USA) contends is America’s woefully inadequate judicial oversight if related relief were clearly available in the United States of America. Yet, as indicated, the United Nations charter body has expressed willingness to intervene, subject to

elaboration on instances of related harm. That fact alone at least arguably confirms a violation of the International Covenant on Civil and Political Rights (ICCPR) by the United States, specifically a violation of the treaty’s Article 2, paragraph 3(a) and (b) which mandate effective domestic remedies for ICCPR violations under color of law. Investigations of crimes attendant to The Third Degree, committed against human rights defenders, would serve to mitigate if not negate any such violation.

What measures has the State taken to guarantee adequate reparation and guarantees of non-repetition? Please refer to concrete examples.

So far none as far as NJCDLP is able to confirm from the perspective of its advocacy. Of course, On October 10, 2018, pursuant to a proposed communication submitted by NJCDLP on behalf of its constituents, the U.N. Human Rights Council (Council) confirmed that America may well have a *de facto* policy of judicial impunity for the role of its judges in persecution and psychological torture imposed through persistent U.S. legal system abuse. *See*, National Judicial Conduct and Disability Law Project, Inc. (2018, October 12). *UN Human Rights Council Poised to Address Prospect of Judicial Impunity in America* [Press release], accessible as of May 20, 2019 at <https://www.prlog.org/12734665-un-human-rights-council-poised-to-address-prospect-of-judicial-impunity-in-america.html> Obviously, the Council could not entertain addressing what NJCDLP (via its grassroots campaign, Opt IN USA) contends is America’s woefully inadequate judicial oversight if related relief

were clearly available in the United States of America. Yet, as indicated, the United Nations charter body has expressed willingness to intervene, subject to elaboration on instances of related harm. That fact alone at least arguably confirms a violation of the International Covenant on Civil and Political Rights (ICCPR) by the United States, specifically a violation of the treaty’s Article 2, paragraph 3(a) and (b) which mandate effective domestic remedies for ICCPR violations under color of law. Measures being undertaken to guarantee adequate reparation and guarantees of non-repetition with regard to America’s inadequate judicial oversight (preferably as of 1990) would serve to mitigate if not negate any such violation.

* **Preventive and reactive actions concerning attacks against human rights defenders:**

What measures, legislation, policies and mechanisms have had a positive or negative impact on generating safe contexts for human rights defenders? Do you know cases that could illustrate this?

So far none as far as NJCDLP is able to confirm from the perspective of its advocacy.

If relevant, please include an assessment of national mechanisms for the protection of human rights defenders. What has been their real scope and effectiveness? Please indicate the reasons for this assessment.

NJCDLP proposes that U.S. residents, including but not limited to Americans, lack effective avenues of redress and relief for the role of U.S. judges in objectively discernible, national patterns of persistent U.S. legal system abuse. Learn more at <https://www.thethirddegree.net/opt-in-usa>

Thank you for your participation in this questionnaire!

Please attach any documents that might be relevant and useful to the report (e.g., reports, flagship cases). You can send them by e-mail to [adesouza@ohchr.org](mailto:adesouza@ohchr.org) as well as any questions or observations to this questionnaire.